GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Services - Revenue Department - Sri V.Murali Mohan Rao, the then MRO, Dwaraka Tirumala, West Godavari District now Dy. Collector, Retired - Allegations of Corruption and misconduct- Disciplinary proceedings under rule - 20 of Andhra Pradesh Civil Services (Classification Control and Appeal) Rules, 1991 r/w rule of A.P Revised Pension Rules, 980- Articles of charge - Issued .

REVENUE (VIGILANCE-I) DEPARTMENT

G.O.Rt.No.889 **Dated: 26.09.2023**

Read:

G.O.Ms.No.449 Revenue (Vig.I) Dept., dt: 26.09.2023

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ORDER:

In pursuance to the G.O read above, it is proposed to hold an enquiry against Sri V.Murali Mohan Rao, the then Mandal Revenue Officer, Dwaraka Tirumala, West Godavari District now Dy. Collector, Retired in accordance with the procedure laid down in Rule 20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991.

2. The substance of the imputations of misconduct or misbehaviour in respect of which the inquiry is proposed to be held is set out in the enclosed statement of articles of charge (Annexure- I). A statement of imputations of misconduct / misbehaviour in support of each article of charge is enclosed (Annexure-II). A list of documents by which, and a list of witnesses by whom, the articles of charge proposed to be sustained are also enclosed (Annexures-III)

3. Sri V.Murali Mohan Rao, the then Mandal Revenue Officer, Dwaraka Tirumala, West Godavari District now Dy. Collector, Retired is directed to submit, within 10 days from the date of receipt of this order, a written statement of his defence.

4. Sri V.Murali Mohan Rao, the then Mandal Revenue Officer, Dwaraka Tirumala, West Godavari District now Dy. Collector, Retired, is informed that an inquiry will be held only in respect of those articles of charge as are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Sri V.Murali Mohan Rao, the then Mandal Revenue Officer, Dwaraka Tirumala, West Godavari District now Dy. Collector, Retired is further informed that if he does not submit his written statement of defence on or before the date specified in para 3 above, further action will be processed based on the material available.

6. Attention of Sri V.Murali Mohan Rao, the then Mandal Revenue Officer, Dwaraka Tirumala, West Godavari District now Dy. Collector, Retired is invited to Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964, under which no Government Servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to her service under the Government. If any representation is received on her behalf from another person in respect of any matter dealt within these proceedings, it will be presumed that Sri V.Murali Mohan Rao, the then Mandal Revenue Officer, Dwaraka Tirumala, West Godavari District now Dy. Collector, Retired is aware of such a representation and that it has been made at his instance and action will be taken against her for violation of Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

7. The receipt of the Order be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

G. SAI PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To

Sri V.Murali Mohan Rao, the then Mandal Revenue Officer, Dwaraka Tirumala, West Godavari District now Dy. Collector, Retired (Through the Chief Commissioner of Land Administration, A.P., Mangalagiri for service and to return the served copy with dated acknowledgement immediately (By RPAD))

The Director General, Anti Corruption Bureau, A.P., Vijayawada.

The Chief Commissioner of Land Administration, A.P., Mangalagiri

Copy to:

The District Collector, West Godavari District

SF/SC

//FORWARDED::BY ORDER//

SECTION OFFICER

ANNEXURE-I

STATEMENT OF ARTICLEs OF CHARGE FRAMED AGAINST SRI VANADI MURALI MOHANA RAO, S/O RAMA RAO, 64 YEARS, FORMERLY MANDAL REVENUE OFFICER, DWARAKA TIRUMALA MANDAL, WEST GODAVARI DISTRICT NOW DY. COLLECTOR RETIRED, IN CR.NO.16/RCT-EWG/2006 OF ACB, ELURU RANGE, ELURU.

Sri Vanadi Murali Mohana Rao, S/o Rama Rao, 64 Yrs joined in Government Service as Junior Assistant on 06.12.1990 and worked at O/o the JD (Admin), S& LR, Hyderabad. Later he got promotion as Senior Assistant on 20.09.1993 and worked at O/o the JD (Admin), S& LR, Hyderabad. Later he worked at O/o the Mandal Revenue Officer, Madugula, Koyyuru of Visakhapatnam District as Mandal Revenue Inspector. Later he worked at O/o the Special Commissioner Survey, Settlement & Land Records, AP, Hyderabad as Senior Assistant. Later he got promotion as Superintendent on 11.01.2005 and worked at O/o the Special Commissioner Survey, Settlement & Land Records AP, Hyderabad. Later he got Promotion as Mandal Revenue Officer on 18.03.2006 and he worked as Mandal Revenue Officer, Dwaraka Tirumala Mandal from 18.03.2006 to 20.10.2006 (till the date of trap). While working as such during the aforesaid period, he committed grave misconduct in as much as.

ARTICLE OF CHARGE-I:

That the Charged Government Servant Sri V.Murali Mohana Rao, formerly Mandal Revenue Officer, Dwarakathriumala Mandal, W.G.Dist actuated with corrupt motive demanded a bribe amount of Rs.1000/- and accepted from the complainant Smt.Manike Lakshmi Devi, W/o Dharma Raju on 20.10.2006 for showing official favour of issuing 10(1) certificate, adangal copies, enjoyment and possession certificate and valuation certificate for her lands to enable her to take agricultural loan from bank.

ARTICLE OF CHARGE-II:

That the Charged Government Servant was found in possession of un explained amount of Rs.200/-on the date of trap.

Thus the Charged Government Servant Sri Vanadi Murali Mohana Rao, S/o Rama Rao, 64 yrs, formerly Mandal Revenue Officer, Dwaraka Tirumala Mandal, West Godavari District, by his above mentioned acts exhibited a lack of integrity, devotion to duty and conduct unbecoming of a Government Servant and thereby contravened Rule 3(1) & 3(2) of Andhra Pradesh Civil Services (Conduct) Rules, 1964 w r/w Rule 9 of A.P. Revised Pension Rules-1980.

G. SAI PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT

//FORWARDED::BY ORDER//

SECTION OFFICER

ANNEXURE-II

STATEMENT OF IMPUTATIONS OF MISCONDUCT OR MISBEHAVIOUR IN SUPPORT OF THE ARCLE OF CHARGE ON CORRUPTION ALLEGATION FRAMED AGAINST SRI VANADI MURALI MOHANA RAO, S/O RAMA RAO, 64 YEARS, FORMERLY MANDAL MISCONDUCT 174 SUPPORT OF DISTRICT IN CR.NO.16/RCT EWG/2006 OF ACB, ELURU RANGE, ELURU

Sri Vanadi Murali Mohana Rao, S/o Rama Rao, 64 Yrs joined in Government Service un Junior Assistant on 06.12.1990 and worked at O/o the JD (Admin), S& LR, Hyderabad, Later he got promotion as Senior Assistant on 20.09.1993 and worked at O/o the JD (Admin), S& LR, Hyderabad. Later he worked at O/a. The Mandal Revenue Officer, Madugula, Koyyuru of Visakhapatnam District as Mandal Revenue Inspector. Later he worked at 0/0, the Special Commissioner Survey, Settlement & Land Records, AP, Hyderabad as Senior Assistant. Later he got promotion as Superintendent on 11.01.2005 and worked at 0/0 the Special Commissioner Survey Settlement & Land Records, AP, Hyderabad. Later he got Promotion as Mandal Revenue Officer on 18.03.2006 and he worked as Mandal Revenue Officer, Dwaraka Tirumala Mandal from 18.03.2006 to 20.10.2006 (till the date of trap). He was placed under suspension vide Proceedings Roc. No.6908/VC/2006, dt: 04.11.2006 of the District Collector, W.G.Dist, Eluru. He is drawing a basic pay of Rs.7, 970/- in the TSP Rs. 7,770/- to 17,445/. His date of birth is 12.06.1959. His date of retirement on attaining the age of superannuation is 30.06.2017. He is herein after referred to as Charged Government Servant.

ARTICLE OF CHARGE-1:

That the Charged Government Servant Sri V.Murali Mohana Rao, formerly Mandal Revenue Officer, Dwarakathriumala Mandal, W.G.Dist actuated with corrupt motive demanded a bribe amount of Rs.1000/- and accepted from the complainant Smt.Manike Lakshmi Devi w/o Dharma Raju on 20.10.2006 for showing official favour of issuing 10(1) certificate, adangal copies, enjoyment and possession certificate and valuation certificate for her lands to enable her to agricultural loan from bank.

FACTS & EVIDENCE:

That on 18.10.2006 at 17.00 hrs, Smt.Manike Lakshmi Devi, W/o Dharma Raju, 30 years, Nimmalagudem Village, Jangareddygudem Mandal, West Godavari district (Defacto Complainant) came to the O/o. DSP, Anti Corruption Bureau, Eluru and presented a written complaint to Sri T.Kanaka Raju, Inspector and stating that the Charged Government Servant Sri Vanadi Murali Mohana Rao, S/o Rama Rao, 64 yrs, Mandal Revenue Officer, Dwarakah Tirumala Mandal, West Godavari District demanded her to pay a bribe amount of Rs.1,000/- for showing Official favour of issuing 10(1) Certificate, Adangal Copies Enjoyment and Possession certificate and valuation certificate for her lands in Survey No.118 of 1.S.Raghavapuram Village. Dwarkathirumala Mandal W.G.Dist so as to enable her to obtain agriculture loan from bank.

That after observing all legal formalities, the DSP, Anti Corruption Bureau, Vijayawada Range, FAC Eluru Range registered the Complaint as a case in Cr.No.16/RCT EWG/2006 U/s 7, 13(2) r/w 13(1)d of the Prevention of Corruption Act, 1988 of Anti Corruption Bureau, Eluru Range, Eluru on 20.10.2006 at 09:00 hrs and took up investigation.

On 20.10.2006 at 17.10 hours the Charged Government Servant was trapped in Cr. No. 16/RCT-EWG/2006 of Anti Corruption Bureau, Eluru Range in the O/o. Mandal Revenue Officer, Dwaraka Tirumala Mandal, West Godavari District when he further demanded and accepted a bribe amount of Rs. 1,000/- from the complainant Smt. Manike Lakshmi Devi, W/o Dharma Raju. 30 years, Nimmalagudem Village. Jangareddygudem Mandal, West Godavari district for showing Official favour of issuing 10(1) Certificate, Adangal Copies, Enjoyment and Possession certificate and valuation certificate for her lands in Survey No.118 of 1.S.Raghavapuram Village, Dwarkathirumala Mandal, W.G.Dist so as to enable her to obtain agriculture loan from bank.

During the Post-Trap Proceedings, the DSP organized the chemical test on both hand fingers of the Accused Officer separately in the solutions, There was no change in the solutions. The bribe amount was recovered underneath the Personal diary of the Charged Government servant, which is on the table of the Government Servant which the complainant kept the amount on his instructions in the presence of the mediators. The mediators counted and compared the numbers and the denominations of the currency notes which were already noted in the pre-trap proceedings and found them tallied. The chemical test conducted on

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the surface of the cover of the Personal Diary of the Charged Government Servant which Portion come into contact with the tainted currency yielded Positive results. On verification of the Diary on the page dated 16th March, an amount of Rs.200/- consisting of 100 rupee note and two fifty rupee notes was found. DSP seized the tainted currency notes of Rs. 1,000/- and 3 bottles containing the chemical washes sealed, connected records i.e., 1) Land valuation and income certificate vide L Dis.No.310/2006/B dated: 17.10.2006 of Mandal Revenue Officer, Dwarakathirumala. 2) Possession certificate in the name of Lakshmi Devi 3) 10(1) Certificate in the name of Lakshmi Devi 4) Copy of the Adangal in the name of Lakshmi Devi and obtained signatures of mediators and DSP.,and Possession certificate and valuation certificate for her lands in Survey No. 118 of 1.S.Raghavapuram Village, Dwarkathirumala Mandal, W.G.Dist as to enable her to obtain agriculture loan from bank.

That after observing all legal formalities, the DSP, Anti Corruption Bureau, Vijayawada Range, FAC Eluru Range registered the Complaint as a case in Cr.No.16/RCT EWG/2006 U/s 7, 13(2) r/w 13(1)d of the Prevention of Corruption Act, 1988 of Anti Corruption Bureau, Eluru Range, Eluru on 20.10.2006 at 09.00 hrs and took up investigation.

On 20.10.2006 at 17.10 hours the Charged Government Servant was trapped in Cr. No. 16/RCT-EWG/2006 of Anti Corruption Bureau, Eluru Range in the O/O, Mandal Revenue Officer, Dwaraka Tirumala Mandal, West Godavari District when he further demanded and accepted a bribe amount of Rs.1,000/- from the complainant Smt. Manike Lakshmi Devi, W/o Dharma Raju, 30 years, Nimmalagudem Village, Jangareddygudem Mandal, West Godavari district for showing Official favour of issuing 10(1) Certificate, Adangal Copies, Enjoyment and Possession certificate and valuation certificate for her lands in Survey No.118 of 1.S.Raghavapuram Village, Dwarkathirumala Mandal, W.G.Dist so as to enable her to obtain agriculture loan from bank.

During the Post-Trap Proceedings, the DSP organized the chemical test on both hand fingers of the Accused Officer separately in the solutions, There was no change in the solutions. The bribe amount was recovered underneath the Personal diary of the Charged Government servant, which is on the table of the Government Servant which the complainant kept the amount on his instructions in the presence of the mediators. The mediators counted and compared the numbers and the denominations of the currency notes which were already noted in the pre-trap proceedings and found them tallied. The chemical test conducted on the surface of the cover of the Personal Diary of the Charged Government Servant which Portion come into contact with the tainted currency yielded Positive results. On verification of the Diary on the page dated 16th March, an amount of Rs.200/- consisting of 100 rupee note and two fifty rupee notes was found and when questioned about the amount the Charged Government Servant could not account for properly. The amount was seized under the cover of Mediators Report-2 drafted at the Office of the Government servant on 20.10.2006,

Hence, the Charge against the Government Servant that he was found in possession of un explained amount of Rs.200/- on the date of trap is held substantiated.

During the course of investigation, the statements of the complainant and brother of the complainant (accompanying witness) were recorded U/Sec 161 Cr.P.C by the Investigation Officer (IO) and U/Sec 164 Cr.P.C by the Hon'ble Judicial Magistrate of First Class (Excise) Court, Eluru, West Godavari District on 27.10.2006. In both the 161 Cr.P.C and 164 Cr.P.C statements of the complainant and accompanying witness were corroborated the contents of the complaint in all material facts.

During the post trap proceedings, in the presence of the mediators the DSP, ACB questioned the Charged Government servant about the bribe amount received from the complainant, the Charged Government Servant Pleaded his ignorance and further added that he did not demand any amount from the complainant.

During post-trap proceedings in the presence of mediators, the DSP examined the attender Sri M.Hanumantha Rao S/o Late Muniswamy, 54yrs, O/o. The Mandal Revenue Officer, Dwaraka Tirumala Mandal. On examination, he stated that at about 5 Pm the Mandal Revenue Officer Sri V.Murali Mohana Rao, called him and instructed to bring the file relating to the Lakshmi Devi of Nimmalagudem Village from the Office Senior Assistant. Accordingly he went to the office and brought the file from the table of the Senior Assistant and handover to the MRO, He signed on his papers and handed over to him with instructions to put his seal and obtain the acknowledgement and handover the certificates. Accordingly he affixed the Mandal Revenue Officer Seal under the signature and obtained her acknowledgement and handed over the certificates to her.

(Continue.)

Hence, the Charge against the Government Servant that he demanded and accepted a bribe amount of Rs.1, 000/- from the Complainant Smt.Manike Lakshmi Devi for doing Official favour is held substantiated.

ARTICLE OF CHARGE-II:

That the Charged Government Servant was found in possession of un explained amount of Rs.200/-on the date of trap.

FACTS & EVIDENCE:

That on 18.10.2006 at 17.00 hrs, Smt.Manike Lakshmi Devi, W/o Dharma Raju, 30 years, Nimmalagudem Village, Jangareddygudem Mandal, West Godavari district (Defacto Complainant) came to the O/o. DSP, Anti Corruption Bureau, Eluru and presented a written complaint to Sri T.Kanaka Raju, Inspector and stating that the Charged Government Servant Sri Vanadi Murali Mohana Rao, S/o Rama Rao, 64 yrs, Mandal Revenue Officer, Dwarakahtirumala Mandal, West Godavari District demanded her to pay a bribe amount of Rs.1,000/- for showing Official favour of issuing 10(1) Certificate, Adangal Copies, Enjoyment.

Thus, the Charged Government servant by his above-mentioned acts has exhibited lack of integrity, devotion to duty and conduct, unbecoming of a Government servant and thereby contravened rules 3(1) & (2) of Andhra Pradesh Civil Services (Conduct) Rules, 1964 wr/w Rule 9 of A.P. Revised Pension Rules-1980.

Thus, the Charged Government Servant Sri Vanadi Murali Mohana Rao, S/o Rama Rao, 64yrs, MRO, Dwaraka Tirumala Mandal, West Godavari District rendered himself for Regular Departmental Enquiry for major penalty under Rule 20 of Andhra Pradesh Civil Services (Classification Control &Appeal) Rules, 1991.

G. SAI PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT

//FORWARDED::BY ORDER//

SECTION OFFICER

ANNEXURE-III

LIST OF DOCUMENTS BY WHICH THE ARTICLES OF CHARGE FRAMED AGAINST SRI VANADI MURALI MOHANA RAO, S/O RAMA RAO, 64 YEARS, FORMERLY MANDAL ARE PROPOSED TO BE SUSTAINED.

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1. Complaint dated 18.10.2006 given by the complainant.
2. Copy of F.I.R in Cr.No.16/RCT-EWG/2006 dated 20.10.2006 registered against the Government Servant.
3. Mediators' Report-1:- It reveals pre-trap happenings dated 20.10.2006.
4. Mediators' Report-II-It reveals post-trap happenings at O/o. The MRO, Dwaraka Tirumala Mandal, dated 20.10.2006.
5. Rough Sketch of Scene of offence in Cr.No.16/RCT-EWG/2006.
6. Copy of statement of the complainant recorded u/s 164 Cr.P.C:- It corroborates the facts of complaint, pre and post-trap proceedings.
7. Copy of statement of the Accompanying witness recorded u/s 164 Cr.P.C:- It corroborates the facts of complaint, pre and post-trap proceedings.
8. A Made up file containing file her application, Xerox copies of land Documents, Xerox copies of Pattadar Pass book and office copies of certificates case consisting acknowledgement of the complaint under dated 20.10.2006 and etc papers containing -08 sheets.
9. A Made up file Dispatch register of for the year 2006 mentioned from 23.01.2006 up to 16.10.2006.
10. Attendance register of the Office of Mandal Revenue Officer, Dwaraka Tirumala Mandal, W.G.Dist maintained from 1.1.2006 to 20.10.2006 (One Register).
11. A book of "Gandhi Diary" was seized from the Accused Officer Sri V.Murali Mohana Rao.MRO, Dwaraka Tirumala Mandal, W.G.Dist at the time of drafting Mediators Report No.2 in the office room of Accused Officer on 20.10.2006.

Any other documents may be produced at the time of enquiry.

G. SAI PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT

//FORWARDED::BY ORDER//

SECTION OFFICER

ANNEXURE-IV

LIST OF WITNESSESS BY WHOM THE ARTICLES OF CHARGE FRAMED AGAINST SRI VANADI MURALI MOHANA RAO, S/O RAMA RAO, 64 YEARS, FORMERLY MANDAL ARE PROPOSED TO BE SUSTAINED.

LW-1:Smt.Manike Lakshmi Devi W/o. Dharma Raju, 30yrs, Resident of Nimmalagudem Village of Jangreddygudem Mandal, W.. (Complainant)

LW-2:Sri Kallam Prasad S/o. Venkateswara Rao, 25yrs, Resident of Gundepalli Village of Nallajeria mandal, W.G.Dist.

LW-3:Sri.M.Hanumantha Rao, S/o. Late Munu Swamy, 54yrs. Attender Office of the MRO, Dwarakathirumala mandal, W.G.Dist

LW-4 Sri Juttuka Venkata Rao S/o. Bhimaiah, 52yrs, Panchayat Secretary Kommera Village & 1/c 1.8.Raghavapuram, Dwarakathirumala Mandal, W.G.Dist.

LW-5: Sri Thamtam Venugopala Reddy, S/o. Rama Chandra Reddy Sys Revenue Divisional Ofcer, Eluru, W.G.Dist.

LW-6: Sri Gottapu Subrahmanyeswara Rao, S/o. Rama Krishna, 44yrs, Junior Lecturer in Commerce, Govt Jr College, Eluru, West Godavari District.

LW-7:Sri Dasabattula Ravi Kanth,S/o. Ratnam, 30yrs, Record Assistant, Office of the District Educational Officer, Eluru West Godavari District.

LW-8:Sri K.Mahipal Reddy, Deputy Supdt of Police, Anti Corruption Bureau, Vijayawada Range, FAC:Eluru Range, Eluru, W.G.Dist.

LW-9:Sri T.Kanaka Raju, Inspector of Police, Anti-Corruption Bureau, Eluru Range, Eluru.

LW-10:Sri K.Nagendra Prasad, Inspector of Police, Anti Corruption Bureau, Eluru Range, Eluru.

LW-11: Any other witnesses may be added at the time of enquiry names

G. SAI PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT

//FORWARDED::BY ORDER//

SECTION OFFICER